



USSN: 10/525,624
PCT/US02/28519
Atty Dkt: DURE-034

hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on 28 July 2006 in an envelope as "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. §1.10, Mailing Label Number ED 514190612 US and addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signature: Crystal Susa Printed: Crystal Susa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: PUEL, et al.

Title: **DELIVERY OF MODULATORS OF GLUTAMATE-MEDIATED NEUROTRANSMISSION TO THE INNER EAR**

Serial No.: **10/525,624** Filing Date: **6 September 2002**

Examiner: **(not assigned)** Art Unit: **(not assigned)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF HOLDING
OF ABANDONMENT UNDER M.P.E.P §711.03**

Sir:

Applicants received a Notice of Abandonment for the above-identified patent application, which Notice was mailed on 19 July 2006. The Notice stated that no reply was received to the Notice of Missing Requirements mailed on 2 September 2005.

Applicants respectfully request a withdrawal of the abandonment, in view of the evidence provided herein that a sufficient response was timely filed in reply to the said Notice of Missing Requirements.

Attached hereto are the following evidentiary documents:

- The Notice of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office, mailed on 2 September 2005.
- A copy of Applicants' Response to the Notice of Missing Requirements submitted 1 November 2005 including a copy of the Notice of Missing Requirements, a Transmittal Fee Sheet, an executed Declaration, and a return postcard.
- A copy of the stamped return postcard, demonstrating receipt of Applicants' response by the USPTO on 3 November 2005.

In view of the above evidence, Applicants respectfully submit that a timely response was filed to the Notice of Missing Requirements of 2 September 2005, and the basis for the Office's holding of abandonment is thus in error.

Withdrawal of the abandonment of the present application is therefore respectfully requested.

No Fees are believed to be due with the submission of this Request. However, the Commissioner is hereby authorized to charge any fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this Request, or to credit any overpayment, to Deposit Account No. **50-1953**.

CONCLUSION

Applicants submit that the pending claims define an invention that is both novel and nonobvious, and thus all claims are believed to be in proper condition for allowance. Acknowledgement of this status by the Office in the form of an early allowance is thus respectfully requested. In addition, if the Office contemplates taking any action other than withdrawal of the abandonment of this application, Applicants request that the Office contacts the undersigned at (408) 777-4915.

Respectfully submitted,



Date: 28 July 2006

Thomas P. McCracken
Registration No. 38,548

For and on behalf of
DURECT CORPORATION
2 Results Way
Cupertino, CA 95014
Phone: (408) 777-4915
Fax: (408) 777-3577

I hereby certify that this correspondence is being deposited with the
 United States Postal Service as First Class Mail in an envelope
 addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
 On: 11/01/2005
 By: Crystal Susa Printed: Crystal Susa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Puel, et al.

Title: DELIVERY OF MODULATORS OF GLUTAMATE-MEDIATED
 NEUROTRANSMISSION TO THE INNER EAR

Serial No.: 10/525,642 I.A. Filing date: 06 Sept 2002

Examiner: Unknown Group Art Unit: Unknown

MS Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Transmittal Fee Sheet (1pg., in duplicate);
3. Copy of Notification of Missing Requirements (2pp.);
4. Executed Declaration (4pp.).

Fee Calculation – The fee has been calculated as follows:

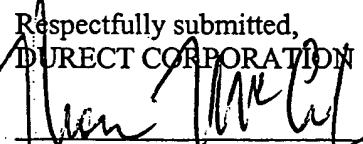
Fee under 37 CFR 1.16(e)	<u>130.00</u>
TOTAL FILING FEE	\$130.00

Please charge the amount of \$130.00 to the Deposit Account No. 50-1953. The
 Commissioner is hereby authorized to charge any additional fees associated with this
 communication or credit any overpayment to Deposit Account No. 50-1953. A duplicate
 copy of this communication is enclosed.

If there are any questions regarding the above, the Examiner is invited to call the
 undersigned at 408-777-4915.

Date: November 2005

10240 Bubb Road
 Cupertino, CA 95014
 Fax: 408-777-3577

Respectfully submitted,
 DURECT CORPORATION

 Thomas P. McCracken
 Reg. No. 38,548



Crystal Susa
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COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Mailed: 11/01/2005

Docket #: DURE-034

Inventors: Puel, et al.

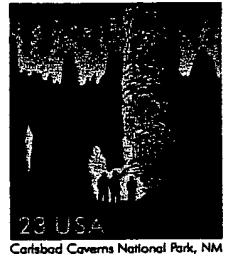
Title: Delivery of Modulators of Glutamate-Mediated
Neurotransmission to the Inner Ear

Serial No.: 10/525,624

I.A. Filing Date: 09/06/2002

Enclosed:

1. Return Receipt Postcard;
2. Transmittal Fee Sheet (1pg., in duplicate);
3. Copy of Notification of Missing Requirements (2pp.);
4. Executed Declaration (4pp.).



Crystal Susa
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Inventors: Puel, et al.

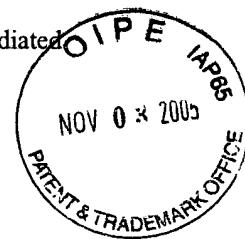
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JC10 Rec'd PCT/PTO 03 NOV 2005